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U.S. District Court

Ann Arbor, MI

UNITED STATES DISTRICT COURT  
IN THE EASTERN DISTRICT FOR THE STATE OF MICHIGAN  
SOUTHERN DIVISION

DIANA RUSSELL

Plaintiff,

vs.

Hon. Paul D. Borman

Case No. 03-73871

BRONSON HEATING & COOLING, INC., a  
Michigan Corporation, BCN SERVICES URBAN, INC.,  
A Michigan Corporation, and ANDREW BRONSON,  
an individual, Jointly and Severally

Defendants.

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FILED

DEC 6 - 2005

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EASTERN MICHIGAN

ORDER

This matter came to be heard upon the joint motion of the parties pursuant to Fed. R. Cir P. 60(b), as contemplated in First National Bank of Salem, Ohio v. Hirsch, 535 F.2d 343 (6th Cir. 1976), asking this Court to set aside its Order Granting Plaintiff's Petition for Attorney Fees dated June 6, 2005.

Considering the parties desire to settle and the entire record, the Court is of the opinion, and so finds, that should the case be remanded to it by the Court of Appeals for the Sixth Circuit, this Court is inclined to grant the relief requested.

**IT IS, THEREFORE, ORDERED BY THE COURT** that if this case is remanded to the District court by the Court of Appeals, this court is disposed to grant the parties' 60(b) motion.

ENTERED this 10 day of December, 2005

A handwritten signature in black ink, appearing to read "Paul D. Borman", written over a horizontal line.

Hon. Paul D. Borman  
District Court Judge